

BARRY J. PORTMAN
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Counsel for Defendant SMITH

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARRELL HOUSTON SMITH,

Defendant.

No. 4-05-70744-WDB

STIPULATION AND ORDER
CONTINUING HEARING DATE

Date: September 14, 2005
Time: 10:00 a.m.
Court: Hon. Wayne D. Brazil
U.S. Magistrate Judge Court

The defendant is currently scheduled to appear before this Court on Wednesday, September 14, 2005 at 10:00 a.m. for a detention hearing and status regarding defendant's removal or identity hearing. The parties submit this stipulation jointly to request that this date be continued two days until Friday, September 16, 2005, at 10:00 a.m. The parties request this brief continuance to afford defense counsel additional time to investigate the alleged violations of pretrial release and to gather additional information relevant to the bail determination. No waiver of time is required because the extension does not exceed the five days which defendant is permitted by statute to request. *See* 18 U.S.C. §3142(f)(2). Mr. Smith, who is in custody, has no objection to this

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1 continuance. Pretrial Services has been notified and has no objection to the continuance.

2 SO STIPULATED.

3 Dated: September 12, 2005

4 /S/
HILARY A. FOX
Attorney for Defendant Smith

5 SO STIPULATED.

6 Dated: September 12, 2005

7 /S/
STEPHEN CORRIGAN (B. Stretch for S. Corrigan)
8 Assistant United States Attorney

9
10 SIGNATURE ATTESTATION

11 I hereby attest that I have on file all holograph signatures indicated by a “conformed”
12 signature(/S/) within this efiled document.

13 Dated: September 13, 2005

14 /S/
MARILEE BARBEAU
Legal Secretary

15
16
17 ORDER

18 Good cause appearing therefore, and pursuant to defendant Darrell Houston Smith’ s
19 stipulation, it is hereby ORDERED that the hearing currently scheduled for September 14, 2005 at
20 10:00 a.m. for detention and status regarding defendant’ s removal or identity hearing is continued
21 to Friday, September 16, 2005, at 10:00 a.m.

22 IT IS SO ORDERED.

23 Dated: September 13, 2005

24 
25 WAYNE D. BRAZIL
United States Magistrate Judge